

विकास योजना - कोल्हापूर
महाराष्ट्र प्रादेशिक व नगर रचना
अधिनियम, १९६६ चे कलम-३५(अजे)(ग)
अन्यथे विकास नियंत्रण नियमावलीत ऐक्यदल
करण्यात्तोडत.

महाराष्ट्र शासन
नगर विकास विभाग,
मंत्रालय, मुंबई-४०० ०८२
शासन निर्णय क्रमांक- टिप्पीएस-२३०८/१९९४/प्र.क्र.१२०३/०८/नवि-१२
विनांक :- २३.०४.२०३०

शासन निर्णय :- सोबतची शासकीय अधिसूचना महाराष्ट्र शासन राजपत्रा मध्ये प्रसिद्ध करावी.

महाराष्ट्राचे राज्यपाल यांचे आदेशानुसार ये नावाने,

४०१/८५

(दि. न. गोड)

महाराष्ट्र शासन, महाराष्ट्र शासन

प्रति,

विभागीय आघुका, पुणे विभाग, पुणे.

संचालक, नगर रचना, महाराष्ट्र शासन, पुणे.

जिल्हाधिकारी, कोल्हापूर.

आण्यात, कोल्हापूर नावनगरपालिका, कोल्हापूर.

उपसंचालक नगर रचना, पुणे विभाग, पुणे.-

सहाय्यक संचालक नगर रचना, कोल्हापूर शास्त्रा, कोल्हापूर.

व्यवस्थापक, वेरवडा कारागृह मुद्रणालय, पुणे.

(त्यांना विनंती करण्यात येते की, सोबतची शासकीय अधिसूचना महाराष्ट्र शासनाच्या राजपत्राच्या भाग-१, पुणे विभाग, पुणे पुरवणी भाग-१ मध्ये प्रसिद्ध करून त्याच्या प्रत्येकी १० प्रती या विभागास, संचालक नगर रचना, महाराष्ट्र राज्य, पुणे, जिल्हाधिकारी, कोल्हापूर, कोल्हापूर नावनगरपालिका, कोल्हापूर, व उपसंचालक नगर रचना, पुणे विभाग, पुणे, सहाय्यक संचालक नगर रचना, कोल्हापूर शास्त्रा, कोल्हापूर यांना पालवाव्यात)

क्रम अधिकारी (नवि-१३), नगर विकास विभाग, मंत्रालय, मुंबई.

त्यांना विनंती करण्यात येते की, सदर अधिसूचना शासनाच्या वेळसाईटवर प्रसिद्ध करावी.

निवडनस्ती (नवि-१३).

Report No. 00000000 Date 23.11.09

The Maharashtra Regional &
Town Planning Act, 1966,
Sanction under section 37
(1AA)(c) of Modification to
Development Control
Regulation for Kolhapur
Municipal Corporation.

NOTIFICATION

Government Of Maharashtra
Urban Development Department,
Mantralayn, Mumbai 400 032.

Dated - 23.04.2010

No.TPS-2108/1914/CR-1381/08/UD-13

Maharashtra
Regional &
Town
Planning
Act 1966

Whereas, the Revised Development Control
Regulations for Kolhapur Municipal Corporation
(hereinafter referred to as "the said Development Control
Regulations") have been sanctioned by Government in Urban
Development Department vide Notification No. TPS-
2192/2308/CR-135/42/UD-13, dated 13.11.1999
(hereinafter referred to as "the said Notification") and came
into force with effect from 18.11.1999. Under section 37(1) of
the The Maharashtra Regional and Town Planning
Act(Maharashtra Act No.XXXVII of 1966) (hereinafter
referred to as "the said Act");

And whereas, as there are existing industries in
Municipal Corporation area which are not in operation at
present and various requests to allow the development of
land for the Residential purpose have been received by the
Government, but there is no provision in the said
Development Control Regulations in this regard;

And whereas, Government has carefully
examined the issue and found it expedient in the public
interest to include the provision regarding the conversion of
Industrial Zone into Residential Zone/Commercial zone in
the said Development Control Regulations as specified in
Schedule appended to the notification dated 12.09.2008
(hereinafter referred to as 'the said Modification proposal').
Being the matter of public interest, the Government also
found it expedient to take recourse to the provisions
contained in the section 37(1AA) of the said Act;

And whereas, the Government in Urban
Development Department vide notice No. TPS-2108/1914/
CR-1381/08/UD-13, dated 12.09.2008 has published the
notice under section 37(1AA) of the said Act to that effect for

inviting suggestions/objections from the general public within a period of one month from the date of publication of the notice in the official gazette. The suggestions/objections for the said modification proposal were to be forwarded to the Deputy Director of Town Planning, Pune Division, Pune being the officer appointed under sub section 1 of section 162 of the said Act.

And whereas, after giving hearing to the persons who have filed suggestions/objections to the said modification proposal the appointed officer i.e. the Deputy Director of Town Planning, Pune Division, Pune has submitted his report to the Government vide his Marathi letter No. दि.नि.प्र.कृत्यापि/दि.का./ग्राम 35(संस.)/प्र.प्र.म.ए.१(v) /उम्प/१२०६, dated २२.०८.२००८;

And whereas, after making necessary enquires and after consulting the Director of Town Planning, Maharashtra State, Pune the Government of Maharashtra is satisfied that the said modification proposal should be sanctioned with some changes;

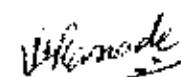
Now therefore, in exercise of the powers conferred under sub section (1AA)(c) of section 27 of the said Act and all other powers enabling it in that behalf the Government of Maharashtra hereby sanctions the said modification proposal as per schedule A appended to this notification.

Note :

- 1) Above said schedule-A is kept open for inspection by the general public in the office of the Municipal Commissioner, Kolhapur, Municipal Corporation, Kolhapur on all working days during working hours.
- 2) Fixes the date of publication of this notification in the Government Gazette as the date of coming into force of this notification.

This notice is also available on Govt. web site at
www.urban.maharashtra.gov.in

By the order &c in the name of Governor of Maharashtra



(V.M.Ranade)

Under Secretary to Government.

SCHEDULE-A

(As sanctioned by Government vide Urban Development Departments notification No.TPS-2108/1914/CR-1381/08/UD-13)
New Regulation No.M-6.1(v) is added in Regulation No.M-6.1
New Regulation No.M-6.1(v) : Conversion of Industrial Zone into Residential Zone/Commercial Zone.

Modification No.1 :-

- a) With the previous approval of Commissioner and on such conditions as deemed appropriate by him, the existing or newly built-up area of unit, in the industrial zone may be permitted to be utilised for an office or commercial purposes.
- b) With the previous approval of the Commissioner, any open land or lands or industrial lands in the Industrial Zone including lands in Industrial zone in T.P. Scheme area may be permitted to be utilised for any of the permissible users in the Residential zone (R-1 zone) or the Residential zone with shop line (R-2 Zone) or for those in the commercial zone (C1 & C2 Zone) subject to the following:-
 - i) The conversion of Industrial Zone to Residential/Commercial Zone in respect of closed industries shall not be permitted unless NOC from Labour Commissioner, Maharashtra State, Mumbai stating that all legal dues have been paid to the workers or satisfactory arrangement between management and workers have been made, is obtained. However, in respect of any open land in the Industrial Zone where industry never existed, NOC from Labour Commissioner is not required.
 - ii) The layout or sub division of such land measuring up to 2.00 ha. shall be approved by the Commissioner, who will ensure that 5% land for public utilities and amenities like electric sub-station, bus station, sub-post office, police out post and such other amenities, as may be considered necessary, will be provided therein.
 - iii) In such layouts or sub-divisions having area more than 2 ha. But less than 3 ha., 20% land shall be provided for public utilities and amenities like electric sub-section, bus station, sub post office, police out post, garden, playground, school, dispensary and such other amenities shall be provided. Provided that out of this 20% land at least 50% land shall be reserved for unbuildable reservation such as garden, recreation ground etc.
 - iv) In such layout or sub-division each more than 5 ha. in area, 25% of land for public utilities and amenities like electric sub-station, bus station, sub post office, police outpost, garden, playground, school, dispensary and such other amenities shall be provided. These areas will be in addition to the recreational space as required to be provided under these regulation. Provided that out of this 25% land at least 50% land shall be reserved for unbuildable reservations

- such as garden recreational ground etc.
- v) The required segregating distance as prescribed under these regulations shall be provided within such land intended to be used for residential or commercial purpose.
 - vi) Such residential or local commercial development shall be allowed within the permissible FSI of the nearby residential or commercial zone.
 - vii) Provision for public utilities and amenities shall be considered to be reservation in the Development Plan and transferable development rights as Regulation No.85 FSI of the same shall be available for utilisation on the remaining land.

Note:

- i) Conversion from Industrial zone to residential/commercial zone shall be applicable to the entire land holding and layout shall be approved for the entire land holding and not in part. Mixed user shall not allowed.
- ii) The area provided for public amenities under regulation No.M.6.1(v)(ii), (iii) & (iv) shall be treated as reservation of development plan and TDR/In-situ FSI as eligible under DCR for this area will be allowed.
- iii) Not less than 40% of the total area proposed to be utilised for residential development 40% of the same shall be built for residential tenements having built up area upto 50 sq.mtrs.

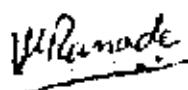
Modification No. 2 :-

New provisoiy is added after regulation no.85(exhibit b) as 85(exhibit c).
 (c) However, such FSI on the receiving plots under prescribed regulation shall be allowed to 100% of the gross plot area without deducting the required public amenity space.

Modification No. 3 :-

New provision as note 7(a) is added under Note 7 given under Rule no.75(a)
 Table No.9

Note 7(a) - However the area of FSI computation shall be 90% of the net area (after deducting amenity area) in case of change of Industrial to Residential user as specified in regulation No. M.6.1(v).


 (V.M.Ranade)
 Under Secretary to Government